



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,495	10/16/2001	Colin Andrew Low	1509-228	1513

7590 01/13/2005

LOWE HAUPTMAN GILMAN & BERNER, LLP
Suite 310
1700 Diagonal Road
Alexandria, VA 22314

EXAMINER

SALL, EL HADJI MALICK

ART UNIT	PAPER NUMBER
----------	--------------

2157

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/977,495

Applicant(s)

LOW ET AL. 

Examiner

El Hadji M Sall

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 16 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>05/17/02</u> | 6) <input type="checkbox"/> Other: _____ |

1. DETAILED ACTION

This action is responsive to the application filed on October 16, 2001. Claims 1-29 are pending. Claims 1-29 represent establishment of a deferred network communication session.

2. *Claim Objections*

Claim 6 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Applicant claims a method according to any one of claims 1-6. A dependant claim must further limit a preceding claim. It cannot further limit itself. For purpose of prior art rejection in this office action, "according to any of the claims 1-6" in claim 6 will be construed as "according to any of the claims 1-5".

3. *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2157

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5, 7, 9-12 and 25-29 are rejected under 35 U.S.C. 102(b) as being unpatentable over Phial U.S. 6,006,269.

Phial teaches the invention as claimed including admission control system with messages admitted or deferred for re-submission at a later time on a priority basis.

As to claim 1, Phial teaches a method of establishing network communication later in time between a first endpoint entity accessing a resource over a network and a second endpoint entity associated with that resource, using a service system that can set up a communication session with an associated transport mechanism allowing the exchange of data across the network between endpoint entities joined to the session; the method involving the steps of:

(a) - upon the first endpoint entity indicating that it wishes to communicate with a second endpoint entity in the future, the service system generates and stores a session identifier for a communication session to be used in the future and passes a copy of the identifier over the network to the first endpoint entity (column 3, lines 8-15, Phial discloses For purposes of assigning future times or appointments, the scheduler can operate in several different ways, for example, by setting "appointments" using a maximum number of new sessions per minute, or by monitoring periodic host activity and assigning future sessions when the host is normally "less busy." For example, if regular monitoring reveals that the host is usually not busy between 3:00 and 5:00 O'clock, the deferral manager could tell the client to try again during that time interval; column 10, lines 3-21, Phial discloses The deferral manager 31 also stores an identifier of priority status for each deferred message, via one of two alternative mechanisms...); and

(b) - the first endpoint entity subsequently passes back the session identifier to the service system which on matching the received identifier with the stored session identifier, joins the first endpoint entity into a communication session with the second endpoint entity (abstract, Phial discloses...server-resident admission control system implements measurement-based admission control to determine whether a requested web site is available to process a new session...; column 7-8, lines 60-67 to lines 1-10, Phial discloses...the admission control gateway can simply look for a particular password or identifier provided with the packet information for the message).

As to claim 2, Phial teaches a method according to claim 1, wherein the first endpoint entity indicates that it wishes to communicate with a second endpoint entity in the future by a communication sent outside of any existing communication session, the first endpoint entity passing the service system context data about the intended communication session which the service system stores in association with the session identifier it generates for the session, this context data comprising data that is subsequently used by the service system to select a particular second endpoint entity, from a pool of possible such entities, to join in a communication session with the first endpoint entity (column 7, lines 22-32, Phial discloses the user is afforded in this embodiment an election at some point during the process, as to whether the user wishes to establish deferred access. The browser is then directed to automatically open up a separate window for each new session initialized via the buffer. Ideally also, the buffer of the modified browser can store indications for several deferred, priority sessions, and the modified browser is effective to order such indications such that they are used to establish deferred sessions at the proper times, regardless of the order in which the indications are received; column 8-9 to lines 66-67 to lines 1-28, Phial discloses...this function can either be done by permitting the user of a client system to select from available time slots, or by taking a preferred client time and if slots are unavailable, requiring the client to choose from other options...).

As to claim 3, Phial teaches a method according to claim 1, wherein the first endpoint entity indicates that it wishes to communicate with a second endpoint entity in the future by a communication sent outside of any existing communication session, the first endpoint entity passing the service system context data about the intended communication session which the service system stores in association with the session identifier it generates for the session, this context data identifying a specific second endpoint entity with which the first endpoint entity wishes to communicate and being used to set a time for the intended communication session based on the availability of that second endpoint entity, this time being passed back to the first endpoint entity in step (a) (column 7, lines 22-32, Phial discloses the user is afforded in this embodiment an election at some point during the process, as to whether the user wishes to establish deferred access. The browser is then directed to automatically open up a separate window for each new session initialized via the buffer. Ideally also, the buffer of the modified browser can store indications for several deferred, priority sessions, and the modified browser is effective to order such indications such that they are used to establish deferred sessions at the proper times, regardless of the order in which the indications are received; column 8-9 to lines 66-67 to lines 1-28, Phial discloses...The operation of the deferral manager 31 is indicated in FIG. 3, and results in the sending of a deferral message to the client system, and the creation of a priority identifier that permits re-submission of the deferred message on a priority basis).

As to claim 4, Phial teaches a method according to claim 1, wherein the first endpoint entity indicates that it wishes to communicate with a second endpoint entity in the future during the course of an existing communication session with a second endpoint entity, the service system extracting data it has about the existing communication session and storing it as context data for the intended communication session in association with the session identifier it generates for that session, this context data identifying the second endpoint entity whereby the same second endpoint entity is joined with the first endpoint entity in the future communication session as in the existing session (column 7, lines 22-32, Phial discloses the user is afforded in this

embodiment an election at some point during the process, as to whether the user wishes to establish deferred access. The browser is then directed to automatically open up a separate window for each new session initialized via the buffer. Ideally also, the buffer of the modified browser can store indications for several deferred, priority sessions, and the modified browser is effective to order such indications such that they are used to establish deferred sessions at the proper times, regardless of the order in which the indications are received; column 8, lines 11-34, Phial discloses...When sessions are admitted, they are assigned to a class, and the class identifier is included in a cookie stored on the associated client system...).

As to claim 5, Phial teaches a method according to any one of the preceding claims, wherein the service system is triggered to select, where not already specifically identified, a second endpoint entity and to join the second endpoint entity with the intended communication session, by the first endpoint entity sending the session identifier to the service system in step (b) (column 8-9 to lines 66-67 to lines 1-28, Phial discloses...The operation of the deferral manager 31 is indicated in FIG. 3, and results in the sending of a deferral message to the client system, and the creation of a priority identifier that permits re-submission of the deferred message on a priority basis).

As to claim 7, Phial teaches a method according to any one of claims 1 to 4, wherein a time for the future communication between the first and second endpoint entities is stored at the service system along with the session identifier, the service system being triggered at the indicated time to select, where not already specifically identified, a second endpoint entity and to join that second entity into the intended communication session (abstract, Phial discloses... program file can be stored on the client which is effective to launch the client's web browser and to direct access to the particular host at the appointed time, irrespective of whether the client's browser is active).

As to claim 9, Phial teaches a method according to any one of the preceding claims, wherein the network resource is a website and in step (a) the first endpoint entity is passed said session identifier in association with a rendezvous web page the URI of which is bookmarked by the first endpoint entity, the first endpoint entity returning the session identifier to the service system instep (b) by using the bookmarked URI to request the rendezvous web page (abstract, Phial discloses...A server-resident admission control system implements measurement-based admission control to determine whether a requested web site is available to process a new session...; column 9-10, lines 51-67 to 1-2, Phial discloses...Preferably, the informative message is contained within a deferral web page which stores the URL of the server for which deferral occurred, and the deferral web page again submits the same URL at expiration of a countdown time...).

As to claim 10, Phial teaches a method according to claim 9, wherein the session identifier is passed to the first endpoint entity in a cookie associated with the rendezvous web page, this cookie being automatically stored at the first endpoint entity (column 6, lines 50-65, Phial discloses...the deferral manager 31 generates a "key" in the form of a "cookie" which the admission control system writes to a hard disk of the client system...; column 7, lines 4-11, Phial discloses...The countdown time is continually displayed to a user, and once the time reaches zero, the web page automatically directs the browser to the same URL which resulted in the deferral, and the admission control gateway 25 checks for the presence of the aforementioned cookie...).

As to claim 11, Phial teaches a method according to claim 9, wherein the session identifier is passed to the first endpoint entity in a query string of the URI of the rendezvous web page (column 7, lines 12-32, Phial discloses...include systems where the browser is a modified browser on the client side, which includes a buffer (not visible to the client's user) for storing a uniform resource locator ("URL") of a server which has deferred access, together with an appointment time...).

As to claim 12, Phial teaches a method according to any one of the preceding claims, wherein the network resource is a commercial website, the first endpoint entity being associated with an enquirer and the second endpoint entity is associated with a representative in a contact center (column 1, lines 19-31, Phial discloses...a multiple-message session could consist of a commercial transaction, with related messages respectively used to locate a web site for a precise product...).

As to claim 25, Phial teaches an apparatus comprising:

a network resource which is accessible to a first endpoint entity over a network (column 2, lines 53-58, Phial discloses The scheduler is checked to determine a time when the host can expect to have processing resources available, and the deferral manager then formulates a time indication which tells the client when the client can expect to gain admission to the host);

session means for setting up a communication session with an associated transport mechanism allowing the exchange of data across the network between endpoint entities joined to the session (column 1, lines 6-9, Phial discloses The present invention relates to communications between computers and, more particularly, to enhancing quality of service in applications where one computer receives and processes messages from other computers; figure 4B; column 5, lines 7-24, Phial discloses...Irrespective of the particular communication path, the host side 15 receives a stream of incoming messages 21 which may access one or more web pages stored on the server 17, and provides a stream of outgoing response messages 23 in response);

future-communication identifier means responsive to the first endpoint entity indicating that it wishes to communicate in the future with a second endpoint entity associated with said network resource, to generate and store a session identifier for a communication session to be used in the future (column 7, lines 22-32, Phial discloses the user is afforded in this embodiment an election at some point during the process, as to whether the user wishes to establish deferred access. The browser is then

Art Unit: 2157

directed to automatically open up a separate window for each new session initialized via the buffer. Ideally also, the buffer of the modified browser can store indications for several deferred, priority sessions, and the modified browser is effective to order such indications such that they are used to establish deferred sessions at the proper times, regardless of the order in which the indications are received; column 8, lines 11-34, Phial discloses...When sessions are admitted, they are assigned to a class, and the class identifier is included in a cookie stored on the associated client system...);

pass-back means for passing a copy of the identifier over the network back to the first endpoint entity (column 2, lines 46-58, Phial discloses...if the threshold has been reached or surpassed, the message is passed to the deferral manager to formulate a response to the particular client...);

session-activation means for subsequently receiving back the session identifier from the first endpoint system, matching it with the stored session identifier, and where such a match is established, triggering the session means to join the first endpoint entity into a communication session with the second endpoint entity (column 5-6, lines 58-67 to lines 1-15, Phial discloses...The admission control gateway 25 compares the set of at least one parameter with the result of the call function and, if the comparison indicates that server processing resources have exceeded the threshold, then new sessions not having priority are deferred...).

As to claim 26, Phial teaches an apparatus according to claim 25, wherein the apparatus is adapted to enable the first endpoint entity to indicate that it wishes to communicate with a second endpoint entity in the future by a communication to the apparatus made outside of any existing communication session; the future-communication identifier means being operative to store, in association with the session identifier, context data concerning the first endpoint entity; and the session means being operative, when triggered by the session-activation means, to use this context data to select a particular second endpoint entity, from a pool of possible such entities, to join in a communication session with the first endpoint entity (column 7, lines 22-32, Phial discloses the user is afforded in this embodiment an election at some

point during the process, as to whether the user wishes to establish deferred access. The browser is then directed to automatically open up a separate window for each new session initialized via the buffer. Ideally also, the buffer of the modified browser can store indications for several deferred, priority sessions, and the modified browser is effective to order such indications such that they are used to establish deferred sessions at the proper times, regardless of the order in which the indications are received; column 8-9 to lines 66-67 to lines 1-28, Phial discloses...this function can either be done by permitting the user of a client system to select from available time slots, or by taking a preferred client time and if slots are unavailable, requiring the client to choose from other options...).

As to claim 27, Phial teaches an apparatus according to claim 25, wherein the apparatus is adapted to enable the first endpoint entity to indicate that it wishes to communicate with a second endpoint entity in the future by a communication made outside of any existing communication session; the future-communication identifier means being operative to store, in association with the session identifier, context data identifying a specific second endpoint entity with which the first endpoint entity wishes to communicate, this context data and being used to set a time for the intended communication session based on the availability of that second endpoint entity; and the pass-back means being operative to pass back this time to the first endpoint entity in association with the session identifier (column 7, lines 22-32, Phial discloses the user is afforded in this embodiment an election at some point during the process, as to whether the user wishes to establish deferred access. The browser is then directed to automatically open up a separate window for each new session initialized via the buffer. Ideally also, the buffer of the modified browser can store indications for several deferred, priority sessions, and the modified browser is effective to order such indications such that they are used to establish deferred sessions at the proper times, regardless of the order in which the indications are received; column 8-9 to lines 66-67 to lines 1-28, Phial discloses...The operation of the deferral manager 31 is indicated in FIG. 3, and results in the sending of a deferral message to the client system, and the

creation of a priority identifier that permits re-submission of the deferred message on a priority basis).

As to claim 28, Phial teaches an apparatus according to claim 25, wherein the apparatus is adapted to enable the first endpoint entity to indicate that it wishes to communicate with a second endpoint entity in the future during the course of an existing communication session with a second endpoint entity; the future-communication identifier means being operative to store, in association with the session identifier, context data about the existing communication session comprising at least the identity of the second endpoint entity; the session means being S operative, when triggered by the session-activation means, to use the context data to join the same second endpoint entity with the first endpoint entity in a communication session (column 7, lines 22-32, Phial discloses the user is afforded in this embodiment an election at some point during the process, as to whether the user wishes to establish deferred access. The browser is then directed to automatically open up a separate window for each new session initialized via the buffer. Ideally also, the buffer of the modified browser can store indications for several deferred, priority sessions, and the modified browser is effective to order such indications such that they are used to establish deferred sessions at the proper times, regardless of the order in which the indications are received; column 8, lines 11-34, Phial discloses...When sessions are admitted, they are assigned to a class, and the class identifier is included in a cookie stored on the associated client system...).

As to claim 29, Phial teaches an apparatus according to claim 25, wherein the network resource is a website and the pass-back means is operative to pass the first endpoint entity said session identifier in association with a rendezvous web page the URI of which is intended to be bookmarked by the first endpoint entity, the association of the session identifier with the rendezvous page being such that the first endpoint entity can return the session identifier to the service system by using the bookmarked URI to request the rendezvous web page (abstract, Phial discloses...A server-resident

admission control system implements measurement-based admission control to determine whether a requested web site is available to process a new session...; column 9-10, lines 51-67 to 1-2, Phial discloses... Preferably, the informative message is contained within a deferral web page which stores the URL of the server for which deferral occurred, and the deferral web page again submits the same URL at expiration of a countdown time...).

5. *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phial U.S. 6,006,269 in view of Emery et al. U.S. 5,758,281.

Phial teaches the invention substantially as claimed including admission control system with messages admitted or deferred for re-submission at a later time on a priority basis.

As to claim 6, Phial teaches a method according to any one of claims 1 to 5, wherein with the first endpoint entity and a time for the future communication between the first and second endpoint entities is stored at the service system along with the session identifier, the service system being triggered at the indicated time to initiate a telephone call to the first endpoint entity (abstract, Phial discloses... program file can be stored on the client which is effective to launch the client's web browser and to direct access to the particular host at the appointed time, irrespective of whether the client's browser is active).

Phial fails to teach a telephone number associated with the first endpoint entity and a time for the future communication between the first and second endpoint entities is stored at the service system along with the session identifier, the service system being triggered at the indicated time to initiate a telephone call to the first endpoint entity.

However, Emery teaches personal communication service using wireline/wireless integration. Emery teaches a telephone number associated with the first endpoint entity (column 29, lines 21-44, Emery discloses... The terminal may have a built in security code which the ISCP verifies before granting access to the data base, or the ISCP may check the originating telephone number and the terminal identity number against a stored number from which that terminal is expected to call...).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Phial in view of Emery to provide a telephone number associated with the first endpoint entity and a time for the future communication between the first and second endpoint entities is stored at the service system along with the session identifier, the service system being triggered at the indicated time to initiate a telephone call to the first endpoint entity. One would be motivated to do so to allow security to be controlled through the line for which the terminal calls in to the ISCP (column 29, lines 25-27).

As to claim 8, Phial teaches a method according to claim 7.

Phial fails to teach a telephone number associated with the first endpoint entity is stored at the service system along with the session identifier, the service system upon joining the second endpoint entity to the communication session, initiating a telephone call to the first endpoint entity from the joined second entity.

However, Emery teaches a telephone number associated with the first endpoint entity (column 29, lines 21-44, Emery discloses... The terminal may have a built in security code which the ISCP verifies before granting access to the data base, or the ISCP may check the originating telephone number and the terminal identity number against a stored number from which that terminal is expected to call...)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Phial in view of Emery to provide a telephone number associated with the first endpoint entity is stored at the service system along with the session identifier, the service system upon joining the second endpoint entity to the communication session, initiating a telephone call to the first endpoint entity from the joined second entity. One would be motivated to do so to allow security to be controlled through the line for which the terminal calls in to the ISCP (column 29, lines 25-27).

7. Claims 13, 18, 20, 21, 22, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phial U.S. 6,006,269 in view of Brown et al. U.S. 6,385,646.

Phial teaches the invention substantially as claimed including admission control system with messages admitted or deferred for re-submission at a later time on a priority basis.

As to claim 13, Phial teaches a method according to any one of the preceding claims.

Phial fails to teach the service system, in setting up a communication session for the first and second endpoint entities, creates a service-session functional entity which in the course of joining a said endpoint entity to the session, sends connection details of the transport mechanism associated with the communication session to the endpoint entity or its proxy, that endpoint entity or its proxy then using the connection details to connect itself to the transport mechanism.

However, Brown teaches method and system for establishing voice communications in an Internet environment. Brown teaches the service system, in setting up a communication session for the first and second endpoint entities, creates a service-session functional entity which in the course of joining a said endpoint entity to the session, sends connection details of the transport mechanism associated with the communication session to the endpoint entity or its proxy, that endpoint entity or its proxy then using the connection details to connect itself to the transport mechanism (column 14, lines 37-40, Brown discloses based on the whisper code, sending an audio message to the call center, the audio message relating to at least one of an identity of the user and details of the interactive communication session).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Phial in view of Brown to provide the service system, in setting up a communication session for the first and second endpoint entities, creates a service-session functional entity which in the course of joining a said endpoint entity to the session, sends connection details of the transport mechanism associated with the communication session to the endpoint entity or its proxy, that endpoint entity or its proxy then using the connection details to connect itself to the transport mechanism. One would be motivated to do so to allow calls to be routed to selected call centers.

As to claim 18, Phial teaches a method according to claim 13.

Phial fails to teach the transport mechanism associated with a communication session provides multiple data transfer channels, for different media types between endpoint entities joined to the communication session, the connection details passed to a said endpoint entity or its proxy comprising details of the media channels associated

with the communication session, and the endpoint entity or its proxy using these details to establish corresponding media channel connections to the transport mechanism.

However, Brown teaches between endpoint entities joined to the communication session, the connection details passed to a said endpoint entity or its proxy comprising details of the media channels associated with the communication session, and the endpoint entity or its proxy using these details to establish corresponding media channel connections to the transport mechanism (column14, lines 37-40, Brown discloses based on the whisper code, sending an audio message to the call center, the audio message relating to at least one of an identity of the user and details of the interactive communication session).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bentley in view of Brown to provide between endpoint entities joined to the communication session, the connection details passed to a said endpoint entity or its proxy comprising details of the media channels associated with the communication session, and the endpoint entity or its proxy using these details to establish corresponding media channel connections to the transport mechanism. One would be motivated to do so to allow calls to be routed to selected call centers.

As to claim 20, Phial teaches a method according to claim 13.

Phial fails to teach the second endpoint entity or its proxy already has connection functionality for joining and participating in a communication session, the service-session functional entity of the communication session to which the endpoint entity is to be joined inviting this entity into the session by sending said connection details to the connection functionality of the entity or its proxy.

However, Brown teaches the second endpoint entity or its proxy already has connection functionality for joining and participating in a communication session, the service-session functional entity of the communication session to which the endpoint entity is to be joined inviting this entity into the session by sending said connection details to the connection functionality of the entity or its proxy (column14, lines 37-40, Brown discloses based on the whisper code, sending an audio message to the call

center, the audio message relating to at least one of an identity of the user and details of the interactive communication session).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Phial in view of Brown to provide teaches the second endpoint entity or its proxy already has connection functionality for joining and participating in a communication session, the service-session functional entity of the communication session to which the endpoint entity is to be joined inviting this entity into the session by sending said connection details to the connection functionality of the entity or its proxy. One would be motivated to do so to allow calls to be routed to selected call centers.

As to claim 21, Phial teaches a method according to claim 13.

Phial fails to teach the service-session functional entity, in joining the first endpoint entity into the communication session, sends the latter both connection functionality for joining and participating in a communication session, and said connection details.

However, Brown teaches the service-session functional entity, in joining the first endpoint entity into the communication session, sends the latter both connection functionality for joining and participating in a communication session, and said connection details (column 14, lines 37-40, Brown discloses based on the whisper code, sending an audio message to the call center, the audio message relating to at least one of an identity of the user and details of the interactive communication session).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Phial in view of Brown to provide the service-session functional entity, in joining the first endpoint entity into the communication session, sends the latter both connection functionality for joining and participating in a communication session, and said connection details. One would be motivated to do so to allow calls to be routed to selected call centers.

As to claim 22, Phial teaches a method according to claim 21.

Phial fails to teach the connection details and functionality are sent in association with a web page served by the service system.

However, Brown teaches the connection details and functionality are sent in association with a web page served by the service system (column 3, lines 61-65, Brown teaches When an Internet user clicks a button to connect to an agent, a call is connected from the agent to the user and the agent can view the Web page that a user is viewing (as well as account data and information about the user's prior interaction with the Web page); column 14, lines 37-40, Brown discloses based on the whisper code, sending an audio message to the call center, the audio message relating to at least one of an identity of the user and details of the interactive communication session).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bentley in view of Brown to provide the connection details and functionality are sent in association with a web page served by the service system. One would be motivated to do so to allow calls to be routed to selected call centers.

As to claim 23, a method according to any one of claims 13 to 15, wherein the service-session entity is created at the time the session identifier is sent to the first entity (column 8-9, lines 66-67 to 1-3, Phial discloses The operation of the deferral manager 31 is indicated in FIG. 3, and results in the sending of a deferral message to the client system, and the creation of a priority identifier that permits re-submission of the deferred message on a priority basis).

As to claim 24, Phial teaches a method according to any one of claims 13 to 15, wherein the service-session entity is created immediately prior to the joining of a first-to-be-joined one of the first and second entities is joined to the session (column 17, lines 44-48, Phial discloses creating a priority indicator associated with deferred messages of prior deferral by said admission control system, the priority indicator adapted for use by said admission control system in determining whether a corresponding message has been previously deferred).

8. Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phial U.S. 6,006,269 in view of Bentley U.S. 5,914,951.

Phial teaches the invention substantially as claimed including admission control system with messages admitted or deferred for re-submission at a later time on a priority basis.

As to claim 15, Phial teaches a method according to any one of claims 1 to 12.

Phial fails to teaches the service system, in setting up a communication session for the first and second entities, creates a service session functional entity that comprises a session instance with generic behaviour for adding and removing endpoint entities to the communication session and for recording the endpoint entities currently joined to the communication session, and an associated service instance with service-specific behaviour determining when the session instance is to add and remove endpoint entities.

However, Bentley teaches the service system, in setting up a communication session for the first and second entities, creates a service session functional entity that comprises a session instance with generic behaviour for adding and removing endpoint entities to the communication session and for recording the endpoint entities currently joined to the communication session, and an associated service instance with service-specific behaviour determining when the session instance is to add and remove endpoint entities (column 2, lines 60-62, Bentley discloses The monitor may also use the monitor computer system to add, change or delete the various selection criteria stored in the company computer system; abstract, Bentley discloses...and then records the communication therebetween for future review by a monitor...).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Phial in view of Bentley by providing the service system, in setting

Art Unit: 2157

up a communication session for the first and second entities, creates a service session functional entity that comprises a session instance with generic behaviour for adding and removing endpoint entities to the communication session and for recording the endpoint entities currently joined to the communication session, and an associated service instance with service-specific behaviour determining when the session instance is to add and remove endpoint entities. One would be motivated to do so to allow the monitor to monitor the data communication between the customer and the customer service representative via the data network.

As to 16, Phial teaches a method according to any one of the preceding claims.

Phial fails to teach the transport mechanism associated with a communication session provides multiple data transfer channels, for different media types, between endpoint systems joined to the communication session.

However, Bentley teaches the transport mechanism associated with a communication session provides multiple data transfer channels, for different media types, between endpoint systems joined to the communication session (column 4, lines 13-16, Bentley discloses a first CSC voice system 20 (shown as CSC.sub.-- VS.sub.-- 1 20 in FIG. 1) is preferably a switched business telephone network with multiple connected telephone lines, such as a PBX system; column 6, lines 45-49, Bentley discloses a telecommunication control device 40 is preferably a system capable of switching and routing telephone calls between multiple voice communication devices, such as the customer voice communication device 16, and voice systems, such as CSC.sub.-- VS.sub.-- 1 20, via the voice network 10).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Phial in view of Bentley to provide the transport mechanism associated with a communication session provides multiple data transfer channels, for different media types, between endpoint systems joined to the communication session. One would be motivated to do so to allow a customer to request contact with a customer service representative (abstract).

9. Claims 14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phial U.S. 6,006,269 in view of Brown et al. U.S. 6,385,646, further in view of Bentley et al. U.S. 5,914,951.

Phial teaches the invention substantially as claimed including admission control system with messages admitted or deferred for re-submission at a later time on a priority basis.

As to claim 14, Phial teaches a method according to claim 13.

Phial fails to teach the service-session functional entity comprises a session instance with generic behaviour for adding and removing endpoint entities to the communication session and for recording the endpoint entities currently joined to the communication session, and an associated service instance with service specific behaviour determining when the session instance is to add and remove endpoint entities.

However, Bentley teaches the service-session functional entity comprises a session instance with generic behaviour for adding and removing endpoint entities to the communication session and for recording the endpoint entities currently joined to the communication session, and an associated service instance with service specific behaviour determining when the session instance is to add and remove endpoint entities (column 2, lines 60-62, Bentley discloses The monitor may also use the monitor computer system to add, change or delete the various selection criteria stored in the company computer system; abstract, Bentley discloses...and then records the communication therebetween for future review by a monitor...).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Phial in view of Brown and further in view of Bentley to provide the service-session functional entity comprises a session instance with generic behaviour for adding and removing endpoint entities to the communication session and for

Art Unit: 2157

recording the endpoint entities currently joined to the communication session, and an associated service instance with service specific behaviour determining when the session instance is to add and remove endpoint entities. One would be motivated to do so to allow the monitor to monitor the data communication between the customer and the customer service representative via the data network.

As to claim 19, Phial teaches a method according to claim 13.

Phial fails to teach the state of connection of a said endpoint entity to the transport mechanism is signaled to the session-service functional entity by leg messages passed between a leg controller of the endpoint system or its proxy and a corresponding leg controller of the service-session functional entity.

However, Bentley teaches the state of connection of a said endpoint entity to the transport mechanism is signaled to the session-service functional entity by leg messages passed between a leg controller of the endpoint system or its proxy and a corresponding leg controller of the service-session functional entity (abstract, Bentley discloses... the company computer system causes a telecommunication control device to connect the customer...; column 13, lines 1-4, Bentley discloses A system for monitoring a communication signal representative of communication between a customer and a customer service communication means...).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Phial in view of Bentley to provide the state of connection of a said endpoint entity to the transport mechanism is signaled to the session-service functional entity by leg messages passed between a leg controller of the endpoint system or its proxy and a corresponding leg controller of the service-session functional entity. One would be motivated to do so to allow the recorded communication between the customer and the customer service representative for future review by the monitor (abstract).

10. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Phial U.S. 6,006,269 in view of Bentley et al. U.S. 5,914,951, further in view of Brown et al. U.S. 6,385,646.

Phial teaches the invention substantially as claimed including admission control system with messages admitted or deferred for re-submission at a later time on a priority basis.

As to claim 17, Phial teaches a method according to claim 16.

Phial fails to teach the endpoint entities include web browser functionality and the service system provides functionality, and the transport mechanism provides channels, for at least two of the following:

text chat; follow-me page-push; packetized voice.

However, Brown teaches the endpoint entities include web browser functionality and the service system provides functionality, and the transport mechanism provides channels, for at least two of the following: text chat;

follow-me page-push (column 7, lines 34-39, Brown discloses... An example of transmitting information from agent to user involves a "page-push" operation, where the call center agent presents information in the form of a Web page to the user's Web browser...);

packetized voice (column 9, lines 59-67, Brown discloses that there are many configurations for routing a call from platform 130 to call center 170 over voice network 150, which configurations could include, for example, routing the call through a local exchange carrier, or through a packet network. Similarly, there are many configurations for routing a call from platform 130 to user 100 over voice network 150. Any of these routing configurations may be utilized in placing calls to the call center and to the user in accordance with the present invention).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bentley in view of Brown to provide wherein the endpoint entities

Art Unit: 2157

include web browser functionality and the service system provides functionality, and the transport mechanism provides channels, for at least two of the following: text chat; follow-me page-push; packetized voice. One would be motivated to do so to allow a combined marketing approach using the Web and call centers (abstract).


11. Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to El Hadji M Sall whose telephone number is 571-272-4010. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-4010.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

El Hadji Sall
Patent Examiner
Art Unit: 2157



ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100